THE HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY

W.P.NO. 451 OF 2006

30th January, 2006

Between:

J.Satish Rao ..Petitioner

A N D

1. Indian Oil Corporation Ltd., rep.

by its General Manager, Hyderabad and other

…Respondents

THE HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY

W.P.NO. 451 OF 2006

O R D E R ;

1. When the W.V.M.P.No.75 of 2006 came up for hearing, with the consent of both the counsel, the writ petition itself is taken up for hearing.

2. The petitioner challenged termination order dated 26-12-2005 issued by the 2nd respondent, whereby and where under the dealership of the petitioner came to be terminated.

3. Learned counsel for the petitioner submits that the termination is not on any misconduct and therefore, the order impugned in the writ petition is required to be set aside.

4. Learned standing counsel appearing for the respondents submits that the petitioner has a remedy provided under the Marketing Disciplined Guidelines, 2005 and he has to exhaust the remedy available under the said guidelines before invoking extra ordinary jurisdiction of this Court under Article 226 of the Constitution of India.

5. Undisputedly, a forum is provided under the Marketing Disciplined Guidelines, 2005, in case of termination of the dealership. The petitioner has to exhaust the remedy available under the Marketing Disciplined Guidelines, 2005.

6. In the result, I find that the writ petition is not maintainable and accordingly the same is dismissed. However, the petitioner is at liberty to file an appeal before the Competent Authority within fifteen days from today. No order as to costs.

Justice B.Seshasayana Reddy

30th January, 2006

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